

CALL TO ORDER

Mayor Bischoff opened the meeting at 7:00 p.m.

“Sunshine Law” Announcement: Adequate notice of this public meeting has been provided by the Annual Notice; mailed electronically to the Hunterdon Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk’s Office.

FLAG SALUTE

ROLL CALL Present: Mr. Severino, Mr. Mazza, Ms. McBride, Mrs. Dziubek, Mr. Bischoff
Others Present: J. Peter Jost, Esq., Grace Brennan, CFO and Ella M. Ruta, Municipal Clerk

APPROVAL OF PRIOR MEETING MINUTES

- a. Regular and Executive Session Meeting Minutes of March 2, 2011.

Mayor Bischoff made corrections on page 7, quote, replace “Independently” with “in defense of a” British soldier. On page 11, replace “the bill “ with “a bill will be put”.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza			X			
Mrs. Dziubek	X		X			
Ms. McBride		X	X			
Mr. Bischoff			X			

Motion carried

- b. Executive Session Meeting Minutes of February 16, 2011
c. Special Budget Meeting Minutes of February 23, 2011

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza	X		X			
Mrs. Dziubek		X	X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

VISITORS

Lorraine Ferraro with her son Andrew Ferraro of Cooks Cross Road – attending to receive credits for a project.

REPORTS RECEIVED

- Trooper Flynn from State Police, Perryville Barracks. Referring to a prior meeting discussion, there is a civilian in Bloomsbury who is an Enforcement Officer. The State Police have no contact with that person.

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Mr. Jost reported that the State has just approved no parking for the entire length of Route 173 which was initiated by the Township and approved by the State. The Attorney will check that it is both sides of the highway.

Ms. McBride mentioned that the Road Dept. Foreman reported frequent clean ups of beer cans at Millbrook Park, especially on weekends and asked if the park is patrolled at night. Mr. Mazza mentioned that Finn Road Park is now open and could be included in Police patrol.

- Road Dept - Weeks Ending 2/26/11; 3/04/11.
- OEM Coordinator Report – Report of fire in Union Gap.
- Engineer's Report – not submitted for this meeting

CORRESPONDENCE/WRITTEN COMMUNICATIONS

Mr. Mazza mentioned the following correspondence: None

Mr. Severino mentioned the following correspondence:

- Renewable Energy Ordinance. Waiting for the Engineer to arrive.

Mrs. Dziubek mentioned the following correspondence:

- Mayor's Fax Advisory about the Declaration of State of Emergency Executive Order 57 for the 26th and 27th if the emergency cost declared associated with the emergency will be exempt from the 2% cap.
- Letter from NJDOT with approval of Traffic Regulation Order RP 2011-03 (NSS) for Route 173.
- Letter from HC Soil Conservation District Incomplete Application for Block 1.08 Lot 22 (Pattensburg Quarry) that needs to go to the Planning Board.

Ms. McBride mentioned the following correspondence:

- Township of Clinton, Notice of Introduction-Ord #1018-11 about Accessory Buildings Regulations. Ordinance talks about maximum heights and minimum setbacks for accessory buildings. It does not appear that Union Township has a minimum setback for accessory buildings. Do we want to look at this, and if so, who should review the ordinance.
- Traffic Regulation from DOT. Clarification of road limits for no parking signage along Route 173.

Mr. Bischoff mentioned the following correspondence:

- Mayor's Fax Advisory, urging for the Exemption for Reserve for Uncollected Taxes.

PUBLIC COMMENTS – no comments from the public

PUBLIC HEARING

ORDINANCE 2011-4
AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF UNION,
HUNTERDON COUNTY, NEW JERSEY
CREATING THE POSITION OF DEPUTY TAX COLLECTOR

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Motion to open Public Hearing

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X				
Mr. Mazza						
Mrs. Dziubek	X					
Ms. McBride						
Mr. Bischoff						

Motion carried by unanimous favorable voice vote**Motion to close Public Hearing**

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						
Mr. Mazza	X					
Mrs. Dziubek		X				
Ms. McBride						
Mr. Bischoff						

Motion carried by unanimous favorable voice vote**Motion to Adopt**

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza		X	X			
Mrs. Dziubek	X		X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried**ORDINANCE 2011-5**

AN ORDINANCE OPENING AND ACCEPTING RUPELL'S ROAD (PORTION) AND ALBERT DRIVE AS TOWNSHIP ROADS, AND ACCEPTING THE GRANT OF VARIOUS EASEMENTS IN THE LOOKOUT POINTE DEVELOPMENT, ESTABLISHING THE BOUNDARIES THEREOF IN THE TOWNSHIP OF UNION, COUNTY OF HUNTERDON, STATE OF NEW JERSEY

Motion to open Public Hearing

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						
Mr. Mazza		X				
Mrs. Dziubek	X					
Ms. McBride						
Mr. Bischoff						

Motion carried by unanimous favorable voice vote**Motion to close Public Hearing**

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Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						
Mr. Mazza		X				
Mrs. Dziubek	X					
Ms. McBride						
Mr. Bischoff						

Motion carried by unanimous favorable voice vote

Motion to adopt, subject to receipt of escrow payments

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza				X		
Mrs. Dziubek		X	X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

OLD BUSINESS

- a. The following resolution was introduced for adoption:

**RESOLUTION #2011-
UNION TOWNSHIP, HUNTERDON COUNTY
APPROVING PAYMENTS FOR TAXES BY CREDIT CARDS**

Tabled

- b. **Discussion** – The Proposed Renewable Energy Ordinance. Postponed until Mr. Kirkpatrick arrives.

- c. The following resolution was introduced for adoption:

**RESOLUTION #2011-
UNION TOWNSHIP, HUNTERDON COUNTY
PERFORMANCE SURETY BOND REFUND – TOLL BROTHERS, INC.**

Tabled

- d. **Motion to Approve:** 2011 Quarry License Renewal – Green Cycle of Hunterdon LLC. Tabled.
- e. **Discussion** – Transco Pipeline. Discussion of the map and routing of proposed pipeline. There will be several information meetings by Transco. Created sub committee including Fire Chiefs, OEM Coordinator, Mr. Severino and the Mayor.
- f. **Discussion** – Edna Mahan – Inmate Work Program. Mr. Mazza mentioned article in newspaper. Mayor will write a letter to the Commissioner of the NJDOT asking if they would assist with the road litter cleanup.

7:25 p.m. arrival of the Engineer, Bob Clerico.

7:30 p.m. arrival of Mr. Brian Kirkpatrick, Planning Board Chairman and Mr. Jim Graham, Zoning Officer.

OUT OF AGENDA ORDER

EXECUTIVE SESSION – Potential litigation

a. The following resolution was introduced for adoption:

RESOLUTION 2011-50
Providing for a Meeting Not Open to the Public in Accordance with the
Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

WHEREAS, the Township Committee of the Township of Union is subject to certain requirements of the *Open Public Meetings Act*, N.J.S.A. 10:4-6, et. seq.; and

WHEREAS, the *Open Public Meetings Act*, N.J.S.A. 10-4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Committee of the Township of Union to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

1. *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege:* Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, assembled in Executive session on March 16, 2011, at 7:45 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza		X	X			
Mrs. Dziubek	X		X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

At about 8:19 pm the Committee returned to open public session

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza		X	X			
Mrs. Dziubek	X		X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

OUT OF AGENDA ORDER

Engineer's Report

- Filed the plans and specifications for Perryville Road Improvements 2B Project – 2010 Municipal Aid with NJDOT and copy to the Clerk.
- 50 Cooks Cross Road, foreclosed property, now under contract. Overview and update of situation by the Attorney and Engineer.

Discussion: Renewable Energy Ordinance – Mr. Kirkpatrick answered Committee's questions concerning the solar and wind energy ordinance. Mr. Kirkpatrick spoke about several issues to be resolved before the draft is finished.

At 8:25 p.m. Bob Clerico, Engineer and Jolanta Maziarz, Pl. Bd. Attorney left the meeting

RETURN TO AGENDA ORDER

NEW ORDINANCE – 1st Reading

NOTICE

Please Take Notice that the following Ordinance was adopted on first reading by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, at a meeting held on the 16th day of March, 2011. The Ordinance was then ordered to be published according to law. Notice is hereby given that the said Ordinance will be considered for final passage at a public hearing to be held on the 20th day of April 2011, at 7:00 p.m., or as soon thereafter as the matter may be reached, at the Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, at which time all interested parties will be heard.

Ella M. Ruta, Municipal Clerk

ORDINANCE #2011-6
UNION TOWNSHIP, HUNTERDON COUNTY
CALENDAR YEAR 2011
ORDINANCE TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)

WHEREAS, the local Government Cap law, N.J.S.A. 40A: 4-45.1 et.seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said final budget appropriations to 2.0% or the cost of living adjustment of 3.5% over the previous years final appropriations; and,

WHEREAS, a municipality may, by ordinance, bank the difference between its final budget appropriations subject to the 2.0% cap and the 3.5% cost of living adjustment when said difference is not appropriated as part of the final budget; and,

WHEREAS, the Township Committee of the Township of Union, County of Hunterdon, hereby determines that this difference in the amount of \$29,598.78 that is not appropriated as part of the final budget shall be retained as an exception to the final appropriations in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Motion to introduce on first reading

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza	X		X			
Mrs. Dziubek		X	X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

NEW BUSINESS

a. The following resolution was introduced for adoption:

RESOLUTION #2011-51

In Opposition to S-2664 A-3766 - "Market Competition and Consumer Choice Act"

WHEREAS, this act would fundamentally alter the regulation of telephone and cable television service in New Jersey; and

WHEREAS, A3766/S2664 changes are so sweeping it deserves deliberate review and analysis, and must not be fast-tracked; and

WHEREAS, among other things, A3766/S2664 limits the obligation of a cable company to provide cable and internet connections to municipal buildings. Currently all municipal buildings are eligible for this benefit but the bill would limit the obligation to just one municipal building; and

WHEREAS, A3766/S2664 would eliminate the requirement that cable companies provide basic service and internet to municipal buildings and schools at no charge; and

WHEREAS, A3766/S2664 does not require the cable companies to provide a return feed to allow cable-casting of live municipal events and meetings; and

WHEREAS, A3766/S2664 would reduce the franchise fee payable by certain cable companies that have converted from a traditional franchise to a system-wide franchise; and

WHEREAS, A3766/S2664 does not require cable companies to meet or surpass any existing line extension policy or to meet any applicable consumer protection requirements, all of which are required by the current law; and

WHEREAS, the proposed verification process for determining whether a company is operating in a "competitive franchise area" is inadequate; and

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WHEREAS, the proposed process for renewal of a system-wide franchise must be corrected to require that the renewal be under the same terms and conditions as the original franchise; and

WHEREAS, A3766/S2664 eliminates the right of a municipality operating under municipal- consent based franchise to petition the BPU for a higher franchise fee;

NOW, THEREFORE, BE IT RESOLVED that Union Township calls on the legislature to amend S-2664 A-3766 to ensure that all the commitments of NJSA 48:5A-28 be provided (a) upon application for a system-wide franchise, (b) upon renewal of a system-wide franchise and (c) upon conversion of a municipal-consent based franchise to a system-wide franchise; and

BE IT FURTHER RESOLVED; that Union Township strongly urges the legislature to oppose A3766/S2664 until such amendments are made and there has been an opportunity for all stakeholders to fully analyze the impact of these proposals and; determine the fiscal impact of the bill on municipalities throughout the state; and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Governor Christie, our State senator, our representatives in the General Assembly and the New Jersey League of Municipalities.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza	X		X			
Mrs. Dziubek		X	X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

b. The following resolution was introduced for adoption:

RESOLUTION 2011 - 52
APPROVING ACTIVE MEMBERSHIP
IN THE PATTENBURG VOLUNTEER FIRE COMPANY, INC.
Amie L. Spencer

WHEREAS, written application has been made by Amie L. Spencer for active membership on the Pattenburg Volunteer Fire Co., Inc; and,

WHEREAS, the application of Amie L. Spencer for active membership in the Pattenburg Volunteer Fire Co has been confirmed by Chief Dan Van Fossen; and

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Union, Hunterdon County and State of New Jersey that application of Amie L. Spencer, 31 Sixth Street, Frenchtown, NJ is hereby approved and appoints Amie L. Spencer as a new active member of the Pattenburg Volunteer Fire Company, Inc.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza		X	X			
Mrs. Dziubek	X		X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

c. The following resolution was introduced for adoption:

**RESOLUTION 2011 - 53
APPROVING ACTIVE MEMBERSHIP
IN THE PATTENBURG VOLUNTEER FIRE COMPANY, INC.
Susan D. Manks**

WHEREAS, written application has been made by Susan D. Manks for active membership on the Pattenburg Volunteer Fire Co., Inc; and,

WHEREAS, the application of Susan D. Manks for active membership in the Pattenburg Volunteer Fire Co has been confirmed by Chief Dan Van Fossen; and

THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Union, Hunterdon County and State of New Jersey that application of Susan D. Manks, 7 Menlo Drive, Whitehouse Station, NJ is hereby approved and appoints Susan D. Manks as a new active member of the Pattenburg Volunteer Fire Company, Inc. Motion to approve

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mrs. Dziubek		X	X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

d. The following resolution was introduced for adoption:

**RESOLUTION #2011-54
UNION TOWNSHIP; HUNTERDON COUNTY
RESOLUTION AUTHORIZING CONTRACT FOR LEGAL SERVICES 2011
William Brinton Esq. – Special Counsel**

WHEREAS, William D. Brinton, Esq. and Roger Towers, PA (“Contractor”)has been appointed as Special Counsel for the Township of Union, Hunterdon County, New Jersey,(“Municipality”) for the calendar year 2011; and

WHEREAS, the Municipality and the Contractor wish to have a written agreement as to services to be rendered and fees to be charged;

NOW THEREFORE, BE IT AGREED this 16th day of March 2011 by and between the Municipality and the Contractor as follows:

1. Purpose and Scope of Work: Contractor agrees to provide services to the Municipality as set forth in the engagement letter attached hereto as Exhibit A and made part hereof.

2. Professional Service: In order to insure that the retention of the Professional by the Township constitutes a professional service, as that term is defined under the New Jersey local Public Contracts Law, Contractor represents (1) the services are being rendered and performed by a person authorized by law to practice a

recognized profession, (2) the practiced is regulated by law and (3) the performance of the service requires knowledge of an advance type in a field of learning acquired by a prolonged, formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship and training.

3. Conflict of Interest: The Contractor represents that it is not employed or retained and will not be rendering services for an individual, company, municipality or other entity which would create a conflict of interest by virtue of the services to the Contractor is now rendering for the Township of Union under the terms of this Agreement. Moreover, the Contractor represents and acknowledges that all information, strategies, positions, etc. will not be disseminated to any third party.
4. Terms of Contract: This contract shall be effective for the period January 1, 2011 through December 31, 2011 Funding for the first ninety (90) days of this contract has been appropriated by the governing body pursuant to the 2011 temporary municipal budget. This contract shall be subject to availability and appropriation of sufficient funds as may be required in the 2011 permanent municipal budget.
5. Appropriation; Compensation: The maximum amount of fees and compensation under this agreement shall not exceed the amount to be appropriated for legal services during the term of this agreement or as said amount may be amended by the governing body. Invoices shall be submitted by the Contractor to the Municipality with vouchers in accordance with applicable laws, regulations and ordinances regarding public contracts and payment claims.
6. Professional Liability Insurance: The Contractor shall maintain, during the full term of this Contract, policy of professional liability insurance in the amount satisfactory to the Township, insuring the Township against errors and omissions in connection with work performed by the Contractor.
7. Political Contribution Disclosure: This contract has been awarded to Contractor based on the merits and abilities of Contractor to provide the goods and services as described herein. This contract was not awarded through a "fair and open" process pursuant to N.J.S.A. 19:44A-20.4 *et seq.* As such, the undersigned/above signed does hereby attest that Contractor its subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement commission pursuant to N.J.S.A.19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the municipality if a member of that political party is serving in an elective public office of that municipality when the contract is awarded, or to any candidate committee of any person serving in an elective public office of that municipality when the contract is awarded.
8. Affirmative Action: Contractor agrees to comply with the terms and conditions of Exhibit B, Mandatory Affirmative Action Language and Affirmative Action Plan/Report Filing Information, which are attached to and made part of this contract.
9. Exhibit C (Business Registration Certificate), Exhibit D (Business Entity Disclosure Certification) and Exhibit E (Political Contribution Disclosure Form) attached to and made part of this contract.
10. Assignment: This contract shall not be assigned.
11. A Notice of this action shall be printed once in the official newspaper of this municipality.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
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Mr. Severino			X			
Mr. Mazza	X		X			
Mrs. Dziubek		X	X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried, subject to establishment of a cap.

e. The following resolution was introduced for adoption:

RESOLUTION #2011-55
UNION TOWNSHIP, HUNTERDON COUNTY
REQUESTING PERMISSION OF THE DIRECTOR OF LOCAL GOVERNMENT SERVICES TO
ALLOW THE TOWNSHIP TO ANTICIPATE THE THREE YEAR AVERAGE CURRENT TAX
COLLECTION RATE

WHEREAS, the Township of Union, County of Hunterdon, realized 97.17% of Current Tax Collections for 2010,

AND WHEREAS, the percentage of Cash Collections on Current Taxes for the three previous years was as follows:

<u>Year</u>	<u>Percentage</u>
2009	98.18%
2008	98.22%
2007	97.74%

AND WHEREAS, N.J.S.A. 40A:4-41(c) provides the use of a three year collection rate average which can be used by the Township to calculate the 2011 reserve for uncollected taxes.

NOW, therefore, be it resolved by the Governing Body that permission be requested of the Director of Local Government Services to permit the Township to anticipate the three year average Current Tax Collection rate of 98.04% for the 2011.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza		X	X			
Mrs. Dziubek	X		X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

f. The following resolution was introduced for adoption:

RESOLUTION #2011-56
UNION TOWNSHIP, HUNTERDON COUNTY
CONDUCTING ANNUAL BUDGET EXAMINATION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Township of Union has been declared eligible to

participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township meets the necessary conditions to participate in the program for the 2011 budget year, so now therefore

BE IT RESOLVED, by the Mayor and Township Committee of the Township of Union that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officers certification. The governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law.)
3. That the budget is in such form arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza		X	X			
Mrs. Dziubek	X		X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

- g. The following resolution was introduced for adoption:

RESOLUTION #2011-57
UNION TOWNSHIP, HUNTERDON COUNTY
Resolution Introducing by Title/Approving the 2011 Municipal Budget

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2011; and

BE IT RESOLVED, by the Governing Body of the Township of Union that the 2011 Municipal Budget for the Township of Union shall be introduced by Title at First Reading; and

BE IT FURTHER RESOLVED, that a Public Hearing on the Budget and Tax Resolution will be held at the Municipal Building located at 140 Perryville Road, Hampton, New Jersey on Wednesday, April 20, 2011 at 7:00 p.m. at which time and place objections to the said Budget and Tax Resolution for the year 2011 may be presented by the Taxpayers or other interested persons.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Union, Hunterdon County, New Jersey, that the Township of Union hereby petitions the Director of the Division of Local Government Services that the 2011 Local Municipal Budget be introduced and approved on March 16, 2011

2011 UNION TOWNSHIP BUDGET

Surplus Anticipated General Revenues	\$ 517,000.00
Total Miscellaneous Revenue	1,121,240.41
Receipts from Delinquent Taxes	282,000.00
Amount to be Raised by Taxes	<u>1,403,511.02</u>
Total General Revenues	<u>\$3,323,751.43</u>
Operation Expenses: Salaries & Wages	\$ 531,645.00
Other Expenses	1,298,898.98
Deferred Charges & Other Appropriations	134,826.00
Capital Improvements	125,000.00
Debt Service	758,381.45
Judgments	0.00
Reserve for Uncollected Taxes	<u>475,000.00</u>
Total Municipal Budget	<u>\$3,323,751.43</u>

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza			X			
Mrs. Dziubek	X		X			
Ms. McBride		X	X			
Mr. Bischoff			X			

Motion carried, subject to the verification of the \$6,000 difference under the surplus line.

h. The following resolution was introduced for adoption:

RESOLUTION #2011-58
MUNICIPAL RESOLUTION FOR 2011 ANJEC GRANT

WHEREAS, the Association of New Jersey Environmental Commissions (ANJEC) sponsors annual ANJEC Sustainable Land Use Planning Grants, which is a program providing 1-to-1 matching reimbursement grants to NJ municipalities, to help cover the costs of developing land use plans, ordinances, studies or document reviews that will foster more sustainable use of natural resources; and,

WHEREAS, the Environmental Commission of Union Township has decided to apply to participate in the 2011 ANJEC Grant Program; and,

WHEREAS, the Union Township Environmental Commission shall apply for the grant to provide funding for a Conservation Easement Inventory & Awareness Project; and,

WHEREAS, the Conservation Easement Inventory & Awareness project shall include:

1. Completion of a deed search for properties containing conservation easements within Union Township;
2. A printed newsletter mailed to all residents describing the beneficial aspects and requirements of maintaining conservation easements;
3. A Conservation Easement Database which will be available on the Union Township municipal website detailing applicable easement documentation;
4. A color coded wall map for the zoning office and digital GIS township map which will be made available to all Union Township residents; and
5. Letters to each of the 225 property owners within Union Township with documentation specific to their easements; and,

WHEREAS, Union Township may provide up to half of its 50% match through in-kind services, work performed on the grant project by municipal volunteers and staff; and,

WHEREAS, the Governing Body of the Township of Union is committed to provide the required municipal cash match for the project, if awarded, up to \$1,600.00; and,

WHEREAS, it is acknowledged that acceptance of the Project shall depend upon a written application, which is due to ANJEC by March 31, 2011; and,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Union, that it approves the submission of an Application for participation in the 2011 Sustainable Land Use Planning Grant Program of the Association of New Jersey Environmental Commissions; and,

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza	X		X			
Mrs. Dziubek			X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

MINUTES OF REGULAR MEETING March 16, 2011

- i. **Motion to Approve:** Application for Special Permit for Social Affair – Rogers’ Rescues, Inc.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza		X	X			
Mrs. Dziubek	X		X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

- j. **Motion to Cancel:** SPS Maintenance & Services Agreement – Telephone System

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza		X	X			
Mrs. Dziubek	X		X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

REPORTS

Attorney’s Report – Mr. Jost reported the following:

- Rolling Hills Estates, Unorski. Developer Wishes to begin work without bonding.
- Received letter re: Titus property. Request lot line adjustment without going to Board for sub-division. Cannot be done.
- Michele McBride asked Atty. Jost about Ordinance re: dumpsters – some townships have an ordinance for refuse containers not to be on street more than 24 hours – should we consider? Mr. Severino suggested approaching the issue with a letter asking to remove a dumpster.

Mayor’s Report

- “A goal without a plan is just a wish” Antoine de Saint-Exupery, French writer (1900 - 1944)
- NJ Conference of Mayors at Borgata Hotel in Atlantic City. Request to attend conference. No action taken.
- Background checks. Mr. Severino will call Leslie Naughton of Instant Verification Inc. for answers to his questions.

Committee Report

Ms. McBride reported the following:

- Attended County Shared Services Meeting. County is suggesting a non-binding Referendum for shared services. Potential shared services: police, road depts., fire and emergency services. The next meeting is April 7th at 7:30 at the Route 12 meeting auditorium for all officials and taxpayers.

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- 2011 Energy Efficiency Block Grant - results of the five energy audit proposals were received, there were three responses. Steven Winters & Associates was the lowest bidder. The cost of the energy audit will be reimbursed by the State after approval of the audit results.

Ms. McBride asked for a motion to accept the low bid of Steven Winters & Associates at \$9,025 for the Local Government Energy Audit Program.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza		X	X			
Mrs. Dziubek	X		X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

- Clean Communities Grant. Ms. McBride and Craig Hermann, Road Foreman put together the statistical reports for 2009 and 2010.

Mrs. Dziubek reported the following:

- Appointed to the League of Municipalities Legislative Committee for Personnel and Pension reform and attended the first of a series of legislative meetings.
- Regarding the website: currently in the process of obtaining the RFPs for potential new design cost of our website for evaluation by the Committee.
- Regarding Buildings and Grounds: Roof leak has been repaired in the municipal building. Some minor landscaping stone will be placed in the front of the building for weed control and maintenance.
- There are other issues however they will be postponed until the completion of the Energy Audit.

Mr. Mazza reported the following: None

Mr. Severino reported the following:

- In a week, we will have a container for the collection of electronics. Need to get the word out to residents. An announcement on the Township website. Add , we now recycle electronics to the Recycling sign. Also a newspaper announcement.

Mr. Severino asked for a Motion to accept a bid for the highest price for electronics collection.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mrs. Dziubek		X	X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

- Mr. Severino suggested that before the warm weather comes, put out bids for HVAC under the Energy Efficiency Block Grant.

Clerk's Report – nothing to report

PUBLIC COMMENTS

PAYMENT OF THE BILLS

The approved list of bills and all claims against the Township of Union as appearing in the Claims Register of this date be paid and that all checks listed hereinafter be issued in payment thereof.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mrs. Dziubek		X	X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

EXECUTIVE SESSION – Contract Negotiation

The following resolution was introduced for adoption:

RESOLUTION 2011-59

Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

WHEREAS, the Township Committee of the Township of Union is subject to certain requirements of the *Open Public Meetings Act*, N.J.S.A. 10:4-6, et. seq.; and

WHEREAS, the *Open Public Meetings Act*, N.J.S.A. 10-4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Committee of the Township of Union to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

1. *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege:* Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is require in order for the attorney to exercise his ethical duties as a lawyer.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, assembled in Executive session on March 16, 2011, at 9:38 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

MINUTES OF REGULAR MEETING March 16, 2011

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza			X			
Mrs. Dziubek	X		X			
Ms. McBride		X	X			
Mr. Bischoff			X			

Motion carried

At about 10:46 p.m. the Committee came out of Executive Session

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza			X			
Mrs. Dziubek		X	X			
Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried

The Attorney visited site of intersection at Rt. 173 and Rt. 635. Mr. Jost spoke with Debbie Hirt for a contact at NJDOT . The Mayor and Attorney will send a letter about the traffic situation.

Motion to authorize the Attorney, in consultation with the Mayor, to write a letter to NJDOT.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						
Mr. Mazza		X				
Mrs. Dziubek	X					
Ms. McBride						
Mr. Bischoff						

Motion carried by unanimous voice vote

ADJOURNMENT - There being no further business to come before the Township Committee at this time, Mr. Severino made a motion to adjourn. Mrs. Dziubek seconded the motion. Motion carried by unanimous favorable roll call vote.

Meeting adjourned at approximately 10:48 p.m.

Respectfully submitted,

Ella M. Ruta, RMC
by Pat Essig
Administrative Assistant

William F. Bischoff, Mayor